

EXHIBIT 1

[Letter from Kathleen R. Hartnett to Mark Perry and Eric
D. Vandavelde, dated April 11, 2019]



April 11, 2019

VIA EMAIL

Mark Perry, Esq.
Gibson, Dunn & Crutcher
1050 Connecticut Avenue, N.W.
Washington, DC 20036-5306
mperry@gibsondunn.com

Eric D. Vandeveld, Esq.
Gibson, Dunn & Crutcher LLP
333 South Grand Avenue
Los Angeles, CA 90071-3197
evandeveld@gibsondunn.com

Re: *Oracle USA, Inc. et al. v. Rimini Street, Inc. & Seth Ravin*
Case No. 2:10-cv-0106-LRH-VCF (D. Nev.)

Dear Counselors:

I write concerning issues raised during the hearing before Magistrate Judge Ferenbach on April 4, 2019, in advance of the parties' submission of the Proposed Discovery Plan and Scheduling Order.

Magistrate Judge Ferenbach ordered the parties to submit a Proposed Discovery Plan and Scheduling Order by May 6, 2019. Please let us know your availability to meet and confer on the morning of April 17, the morning or afternoon of April 18, and the afternoon of April 19.

To make our discussion more streamlined and more productive, please provide the information requested below before the meet and confer.

First, please state whether Rimini will agree to provide an updated AFW database production that includes all records created or modified on or after November 5, 2018 and read-only access to DevTrack. Review of AFW and DevTrack information is necessary for a streamlined and efficient discovery plan, including an assessment of the possibility of sampling. This information could also inform and help focus Oracle's document requests, including identifying key updates, individuals, and potential search terms.

Second, please state whether Rimini has, since November 5, 2018, used any non-Oracle software other than AFW and DevTrack in connection with Rimini's development of software updates, patches, and fixes for the Oracle software products at issue in the



injunction. That will allow Oracle to determine whether there are other sources of data with relevant information.

Third, please identify any discovery requests included with Oracle's motion, ECF No. 1199, to which Rimini would not object. We will consider Rimini's response (including any proposed modifications to those discovery requests) as we prepare Oracle's initial discovery requests.

Fourth, Magistrate Judge Ferenbach encouraged the parties to include joint stipulated facts in the discovery plan. To accomplish that, please respond to the third request in our January 2, 2019 letter, for each of the practices listed as (a) through (t). That will allow us to prepare proposed stipulated facts.

Fifth, Rimini's counsel indicated during the April 4, 2019 hearing that Rimini continues to access cloud-hosted Oracle software and support materials. Please provide us with the following information regarding that access: Rimini client (if any) associated with each environment containing Oracle software hosted in the cloud that Rimini has created, accessed, or caused to be modified since November 5, 2018; name of cloud hosting provider for each environment; creation and (if applicable) deletion dates for each environment; name of each environment; and Oracle software products present on each environment. This will allow us to prepare proposed stipulated facts.

Sixth, Oracle seeks all updates to the relevant Oracle software products that Rimini created during the time period of November 5, 2018 to the present. The updates have been a key source of information in both *Rimini I* and *Rimini II*, and are directly relevant to assessing Rimini's compliance with the injunction. To evaluate whether sampling may be a feasible approach to evaluation of these updates, Oracle requests that Rimini provide a list of all updates to Oracle software that Rimini generated or distributed during that time period.

Seventh, Oracle requests that Rimini preserve copies of all updates to the relevant Oracle software products delivered on or after April 9, 2019. By so doing, Rimini may be able to minimize the number of Rimini customers from which copies of updates and other technical discovery may need to be sought. This also will allow the parties to discuss the possibility of proceeding with a sample set from those updates.

Sincerely,

/s/ Kathleen R. Hartnett

Kathleen R. Hartnett

cc: *Rimini I* Distribution List